

IN THE UNITED STATES DISTRICT COURT
FOR THE NORTHERN DISTRICT OF TEXAS
FORT WORTH DIVISION

JOSE A. GARCIA,	§	
	§	
	§	
VS.	§	CIVIL ACTION NO.4:07-CV-434-Y
	§	
NATHANIEL QUARTERMAN, Director,	§	
T.D.C.J., Correctional	§	
Institutions Division,	§	
Respondent.	§	

ORDER ADOPTING MAGISTRATE JUDGE'S FINDINGS AND CONCLUSIONS

Before the Court is the petition for writ of habeas corpus under 28 U.S.C. § 2254 of petitioner Jose A. Garcia, along with the July 18, 2008, findings, conclusions, and recommendation of the United States magistrate judge. The magistrate judge gave the parties until August 8, 2008, to file written objections to the findings, conclusions, and recommendation. As of the date of this order, no written objections have been filed.¹

The Court has reviewed the pleadings and the record in this case, and has reviewed for clear error the proposed findings, conclusions and recommendation of the United States magistrate judge filed on July 18, 2008. The Court concludes that the petition for writ of habeas corpus should be dismissed for the reasons stated in the magistrate judge's findings and conclusions.

The findings, conclusions and recommendation of the magistrate judge are ADOPTED by the Court.

¹The Court's mailing of the magistrate judge's report to Jose A. Garcia was returned stamped "Return to Sender--Not Deliverable as Addressed--Unable to Forward," but Garcia has not updated his address of record with the Court. The address on file with the clerk of Court for petitioner Garcia remains the same as when he filed the suit. Because Petitioner has failed to keep the Court apprised of his current address as required by the local rules, see N. D. Tex. Civ. R. 83.13 and 83.14, he has not responded to the July 18, report.

Jose A. Garcia's petition for writ of habeas corpus is
DISMISSED as moot.

SIGNED August 12, 2008.



TERRY R. MEANS
UNITED STATES DISTRICT JUDGE